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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/038,859	01/03/2002	Jean-Claude Sarfati	11345.040001	6371

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EXAMINER
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SHEPARD, JUSTIN E

ART UNIT	PAPER NUMBER
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2623

DATE MAILED: 03/22/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/038,859	SARFATI ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Justin E. Shepard	2617	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>1/3/2002</u> . | 6) <input type="checkbox"/> Other: ____.  |

## **DETAILED ACTION**

### ***Claim Objections***

Claims 3-7 and 9 are objected to because of the following informalities: The word "affected" is used incorrectly, which makes the claim difficult to understand. The claims will be examined as best understood by the examiner. Appropriate correction is required.

Claims 8 and 9 are objected to because of the following informalities: The word choice makes the claim difficult to understand. The claims will be examined as best understood by the examiner. Appropriate correction is required.

Claim 10 is objected to because of the following informalities: The phrase "MPEG sections" is not understood by the examiner, which makes the claim difficult to understand. The claims will be examined as best understood by the examiner. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 2, and 6-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Boucher in view of Brotz.

Referring to claim 1, Boucher discloses a method to administrating information an interactive communication system comprising:

a) following a request for information from user or resulting from the execution of a program (figure 2, box 210),

The verification if said information available memory called cache memory (figure 2, box 220),

The loading of information from the cache memory when it is available (figure 2, box 240), and

the loading of the information from a source when not available in the cache memory (figure 2, box 260),

b) and further comprising the associating least information the cache memory date duration or validity date data,

the verification of the duration of validity of an information contained in the cache memory, response the request said information (figure 2, box 230), and

the loading of the information from the broadcast source validity data of the information available the cache memory is expired (figure 2, box 260).

Boucher does not disclose a system wherein the source is a broadcast source.

Brotz discloses a system wherein the source is a broadcast source (figure 1A; parts 190 and 150; figure 3, parts 150, 130, and 132).

At the time of the invention it would have been obvious for one of ordinary skill in the art to use a broadcast source to transmit internet data to the receiver, as taught by

Brotz. The motivation would have been that Boucher discloses that the data could be read from another content data source (column 7, lines 1-2).

Referring to claim 2, Boucher discloses a method according to the claim 1, further comprising, following the request for information from the user, the storing in memory of said information loaded from the broadcast source, when it is initially unavailable in the memory (column 9, lines 1-7).

Referring to claim 6, Boucher discloses a method according to the claim 1, in which arbitrary predetermined validity data is affected to the information (column 6, lines 49-54).

Referring to claim 7, Boucher discloses a method according to the claim 1, in which an identifier is affected to each information in the cache memory (column 6, lines 49-54).

Referring to claim 8, Boucher discloses a method according to the claim 7, in which the identifier of the information depends from the content of the information (column 6, lines 49-54).

Referring to claim 9, Boucher discloses a method according to the claim 7, for the administration of data information associated to program information, in which an

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identifier is affected to a data information, which depends from the identifier affected to an associated program information (column 6, lines 49-54).

Referring to claim 10, Boucher discloses a method according to the claim 1, in which the information is stored in memory in form of tables or MPEG sections (column 10, lines 32-33).

Referring to claim 11, Boucher discloses a device for interactive communication comprising:

- a unit for processing information (column 6, line 45),

- a system for downloading information from a source, in response to a command from the processing unit (figure 2, box 260),

- at least an additional memory (cache) for receiving information (column 9, lines 6-7), for their storage in association with a duration of validity data (column 6, lines 49-54; figure 2, box 230),

- a system for administrating the memory in order to load, in response to a command from the processing unit, information from the additional memory, when this information, having a non-expired validity data, is present in the additional memory (figure 2, box 240).

Boucher does not disclose a system wherein the source is a broadcast source.

Brotz discloses a system wherein the source is a broadcast source (figure 1A; parts 190 and 150; figure 3, parts 150, 130, and 132).

At the time of the invention it would have been obvious for one of ordinary skill in the art to use a broadcast source to transmit internet data to the receiver, as taught by Brotz. The motivation would have been that Boucher discloses that the data could be read from another content data source (column 7, lines 1-2).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 3-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Boucher in view of MacPhail.

Referring to claim 3, Boucher does not disclose a method according to the claim 1, in which the validity data is affected to the information at its storing.

MacPhail discloses a method according to the claim 1, in which the validity data is affected to the information at its storing (column 2, line 68; column 3, lines 1-6).

At the time of the invention it would have been obvious for one of ordinary skill in the art to enable the modifying of validity data, as taught by MacPhail, in the system disclosed by Boucher. The motivation would have been to enable the user to save media that would normally expire quickly (a news story) for a later time when the user didn't have time to watch it right away.

Referring to claim 4, Boucher does not disclose a method according to the claim 1, in which validity data is affected to the information depending on the content of said information.

MacPhail discloses a method according to the claim 1, in which validity data is affected to the information depending on the content of said information (column 2, line 68; column 3, lines 1-6).

At the time of the invention it would have been obvious for one of ordinary skill in the art to enable the modifying of validity data, as taught by MacPhail, in the system disclosed by Boucher. The motivation would have been to enable the user to save media that would normally expire quickly (a news story) for a later time when the user didn't have time to watch it right away.

Referring to claim 5, Boucher does not disclose a method according to claim 1, in which validity data is affected to the information depending on the type of information to which the information corresponds.

MacPhail discloses a method according to claim 1, in which validity data is affected to the information depending on the type of information to which the information corresponds (column 2, line 68; column 3, lines 1-6).

At the time of the invention it would have been obvious for one of ordinary skill in the art to enable the modifying of validity data, as taught by MacPhail, in the system disclosed by Boucher. The motivation would have been to enable the user to save



media that would normally expire quickly (a news story) for a later time when the user didn't have time to watch it right away.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Justin E. Shepard whose telephone number is (571) 272-5967. The examiner can normally be reached on 7:30-5 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Grant can be reached on (571) 272-7294. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JS



VIVEK SRIVASTAVA  
PRIMARY EXAMINER